



**William F. Martin**  
Mayor

City of  
**GREENFIELD, MASSACHUSETTS**

**ZONING BOARD OF APPEALS**

City Hall • 14 Court Square • Greenfield, MA 01301  
Phone 413-772-1549 • Fax 413-772-1309  
eric.twarog@greenfield-ma.gov • www.greenfield-ma.gov

**Members:**

Twarog, Eric  
Director, Planning & Dev.

Killeen, Andrew (2019)  
Maloney, Mark (2019)  
O'Neill, Robert (2021)  
Singer, David (2021)  
Winn, James (2020)  
Wozniak, Peter (2020)

**ZONING BOARD OF APPEALS**

**Minutes of May 23, 2019**

**Department of Planning and Development  
20 Sanderson Street, 2<sup>nd</sup> Floor Meeting Room**

The meeting was called to order by Chair, Mark Maloney at 7:00 p.m. with the following members:

**PRESENT:** Mark Maloney, Chairman      Andrew Killeen, Clerk      James Winn  
Peter Wozniak      David Singer

**ABSENT:** Robert O'Neill, Alternate

**ALSO PRESENT:** Eric Twarog, Director of Planning and Development and members of the public

**CHAIRS STATEMENT:** This meeting is being recorded, if any other persons present are doing the same, you must notify the chairperson at this time. No one responded.

**Public Hearings:**

- a. **7:00 p.m.:** Application of Community Health Care, Inc. dba HCRC for property located at 50 Miles Street (Assessor's Map 29, Lot 35A), which is located in the Central Commercial (CC) Zoning District, for a Special Permit pursuant to Sections 200-4.7(C7), 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the operation of a "medical center/clinic including accessory research" at this location.

At a public meeting on Thursday, May 23, 2019 at 7:00 p.m., in the 2<sup>nd</sup> Floor Meeting Room of 20 Sanderson Street, the Greenfield Zoning Board of Appeals held a public hearing on the application of Community Health Care, Inc. dba HCRC for property located at 50 Miles Street (Assessor's Map 29, Lot 35A), which is located in the Central Commercial (CC) Zoning District, for a Special Permit pursuant to Sections 200-4.7(C7), 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the operation of a "medical center/clinic including accessory research" at this location. Chairman Maloney explained the public hearing process to the Applicant. Killeen read the public notice into the record. Members of the Board sitting were Mark Maloney, Chair; Andrew Killeen, Clerk; James Winn; Peter Wozniak; and David Singer. Also in attendance were the following project proponents: Attorney Kevin Parsons; William Van Duzer, traffic engineer from Milone & MacBroom; Jason Goguen, Regional Director of Operations for BAART Programs; Charles Hillier, AJA Architects; Nancy Hawkins, Real Estate Broker; and Mark Abramson, Real Estate Broker.

Maloney      Introduced the Board members sitting and asked the Applicant to introduce the project team and explain what they want to do, where they want to do it, and why.

Parsons      Introduced the project team members to the Board and reviewed the proposed project with the Board. The existing facility on Shelburne Road has been in operation for over 15 years. The facility provides methadone and other treatments as well as counseling for opioid addiction as a medical center/clinic. They appeared before the Greenfield Planning Board



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which voted unanimously to forward a positive recommendation to the Zoning Board of Appeals. That meeting went well with the Planning Board making several recommendations for the project to include the following: having their employees park at the Olive Street parking garage; installing a concrete handicap ramp and metal hand rails at the front entrance to the facility; that the Applicant engage with the Greenfield Police Chief and Franklin County Sherriff on security procedures; that they maintain the existing bicycle rack at the building; that the Applicant prepare a traffic study prior to the ZBA meeting; that the Applicant consider working with the City to improve the condition of the pavement where the two handicap spaces are located that are adjacent to the building; and that the Applicant consider maintaining the same hours of operation (5:30 a.m.-2:00 p.m. weekdays and 6: a.m. to 10:00 a.m. weekends) so that traffic is not impacted later in the day. Attorney Parsons stated that the facility could readjust their weekend hours to account for city events at Energy Park. He stated that they outgrew their current facility on Shelburne Road and that the existing facility only has 6 off-street parking spaces. The Applicant currently leases the building on Shelburne Road and will be leasing the building at 50 Miles Street as well. The building at 50 Miles Street is currently being sold to a new owner. They are heavily regulation by both DEA and state agencies. Mr. Goguen reviewed the operation of the facility with the Board. There are currently 12 employees at the existing facility but not all working at the same time. They currently serve 174 patients who get to the facility mostly by walking, carpooling, or taking public transportation. The peak demand for the facility is between 5:30 – 7:30 a.m. The average visit to the facility is about 15 minutes except if counseling is involved which takes about 45 minutes. The facility hires security personnel and will install security cameras for the site.

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|---------|--|
| Maloney | Inquired on the projected increase in clientele.   |
| Goguen  | Responded that they do not know exactly due to multiple variables involved, but they do expect an increase.  |
| Maloney | Inquired on the number of clients two years ago.   |
| Goguen  | Responded about 220, they lost about 60 patients over that time period.  |
| Singer  | Expressed concerns about locating such a medical center/clinic that close to Energy Park and asked for more explanation on how the facility would not impact the Park.   |
| Goguen  | Responded that the security of the Park would improve with the new facility locating there. Stated that facility personnel will keep the Park clean and secure. Reviewed the type of clientele that visit the facility and the nature of opioid addiction. |
| Maloney | Inquired on any proposed renovations to the building.  |
| Hillier | Responded that they do not propose to renovate the exterior of the building.   |



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- Wozniak Inquired on primary and secondary egress to the building.
- Hillier The primary entrance to the building is the front entrance that has existing stairs. They intend to install a concrete handicap ramp for the primary entrance. The 2<sup>nd</sup> egress for the building is in the back with a fenced in area to separate it from the train tracks behind the building.
- Maloney Inquired on lighting and security cameras.
- Hillier Responded that the existing wall-pack lighting will remain and that security cameras will be installed at the front entrance and other locations as appropriate. They could also aim security cameras toward Energy Park. He reviewed the interior layout of all floors to include existing and proposed. He stated that only the doctors, nurses and director of the facility have access to the safe that hold the medication for patients. There is 24-hour monitoring of the safe and facility.
- Killeen Inquired if patients seek discretion when they visit the facility and if the new location would be a problem relative to this.
- Goguen Responded that the question is a good one and that they don't believe this would be a problem.
- Killeen Asked if the proposed location is typical for such a facility.
- Goguen Responded yes.
- Killeen Read review comments from the Planning Board which forwarded a positive recommendation to the ZBA; Department of Planning and Development; Fire Prevention Officer; Engineering Superintendent; and Board of Health (no comments or concerns).
- Van Duzer Reviewed the traffic analysis with the Board.
- Maloney Asked if the Level of Service (LOS) at the intersection of Miles Street and Main Street will decrease.
- Van Duzer Responded that they did not do a complete traffic analysis on LOS due to time constraints. Stated that he used ITE trip generation numbers with direct observation of the area traffic flows for both the existing site and the new site. During the morning peak hour he observed 5 vehicles at this intersection most of which were turning right. He anticipates an increase of 41 trips during peak hour and that the Level of Service of the Miles Street/Main Street intersection would be a B.
- Killeen Inquired if it is legal to drive after given methadone.



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Goguen Responded yes if used as prescribed.

Wozniak Stated that on some weekends, he has observed packed parking in this area and expressed some concern about that.

Goguen Responded that they do not anticipate any traffic issues.

Chairman Maloney opened up the public hearing for public comment at 7:54 p.m.

Jan Ameen, Executive Director, Franklin County Solid Waste District

Stated that she is not here to be for or against the project but wanted to offer some direct observations to the Board as a resident of the building for 24 years. Stated that there are currently 24 employees at the building. Stated that the building shakes every time a train goes by so is concerned about the motion sensor safe giving false alarms when a train goes by the building. Observed that in the winter time, the Bank Row entrance to Energy Park is not cleared of snow and ice. Expressed concerns about employees parking at the Olive Street Parking Garage trying to use this entrance during winter months. Stated that the municipal parking lot at the end of Miles Street mostly has permit parking so there are really only 7 non-permit spaces available.

Donna DuSell, River Street, Greenfield

Stated that she is a member of the Recreation Commission and a tenant at 50 Miles Street but is here as a resident. Expressed support for the project.

Ken Black, Congress Street, Greenfield

Stated that he is a former Town Engineer for Greenfield and UMass professor. Stated that his common law partner is a client at the existing facility and that he drives her to the facility about 350 times per year. As a traffic engineer, he makes direct observations of the traffic patterns in the area while he waits. The existing facility runs very well with no traffic issues.

Anna Marsh?, 40 Cedar Street, Greenfield

Stated that she is a resident of the facility at 40-42 Cedar Street and that she supports the proposed project.

Debra Maccloufer, Opioid Task Force

Stated that she is here on behalf of the Opioid Task Force representing Christopher Donelan, Franklin County Sheriff; John F. Merrigan, Franklin County Register of Probate; and David E. Sullivan, Northwestern District Attorney. She handed out a letter from the Opioid Task Force to the Board which is hereby made a part of these meeting minutes.

Liz Wynott, Tapestry Health

Stated that she supports the project and that Tapestry Health routinely refers clients to the facility.

Jerry Lung, Greenfield Resident

Stated that he is the father of a 26 year old daughter who is an addict. He supports the project and thinks that the new location is a good location, the hours of operation work well with traffic flows and activities at



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Energy Park. He stated that this is an opportunity for Greenfield to step up to help combat the opioid crisis.

**Chairman Maloney closed the Public Hearing at 8:17 p.m.**

Chairman Maloney asked the Board had any questions at this time. No questions from the Board. Chairman Maloney asked the Applicant to address any questions, issues or concerns as a result of public comment.

Parsons	Stated that deliveries to the facility are done by FedEx and UPS so no tractor trailers. Asked for the hours of operation to remain the same as the existing facility.
Goguen	Stated that they would only secure their patients and employees, not the general public.
Singer	Stated that he came to the meeting thinking that he wouldn't support the proposed project but after hearing the presentation and answers to questions posed, he will likely support the project. He would like to see a partnership between the facility and the City relative to Energy Park.
Wozniak	Expressed concerns about safety relative to the 2 <sup>nd</sup> egress leading out to the train tracks.
Maloney	Inquired on percentage of carpooling trips to the facility.
Goguen	Responded about 70 percent.
Maloney	Inquired if the Applicant would be willing to purchase permit parking for clients at the Miles Street public parking lot.
Goguen	Responded yes.

**Board Deliberation/Decision**

**Application of Community Health Care, Inc. dba HCRC for property located at 50 Miles Street (Assessor's Map 29, Lot 35A)**

Killeen	Stated that he is primarily concerned about parking and traffic. He would request that the Applicant purchase four (4) parking permits for clients at the Miles Street public parking lot.
Winn	No concerns.
Wozniak	Stated that his two primary concerns are parking and safety concerns about the 2 <sup>nd</sup> egress that leads out to the train tracks. Other than these concerns, it is a great project.
Singer	Stated that he supports the project but would like to see a partnership between the Applicant and the Recreation Department. He would like for the Board to have the ability to re-look at





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the project later on.

Maloney Stated that he supports the project and doesn't have a problem with the proposed hours of operation. His main issue is security for the building and product.

The Board discussed potential conditions of approval.

**MOTION:** Moved by Killeen, seconded by Winn, and voted 5:0 to approve the application of Community Health Care, Inc. dba HCRC for property located at 50 Miles Street (Assessor's Map 29, Lot 35A), which is located in the Central Commercial (CC) Zoning District, for a Special Permit pursuant to Sections 200-4.7(C7), 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the operation of a "medical center/clinic including accessory research" at this location with the following conditions:

1. Delivery vehicles shall be limited to box trucks or smaller. Tractor trailer trucks shall be prohibited;
2. The Applicant shall maintain the existing bicycle rack on site;
3. Hours of operation shall be 5:30 a.m. to 2:00 p.m. Monday through Friday and from 6:00 a.m. to 10:00 a.m. on weekends;
4. The special permit shall only run with the Applicant, Community Health Care, Inc. dba HCRC, at 50 Miles Street;
5. The Applicant shall submit an updated exterior lighting plan for the project to the Department of Planning and Development within 30 days of approval;
6. Employees for the facility shall park off-site;
7. The Applicant shall purchase four (4) permit parking spaces at the Miles Street municipal parking lot for use by facility clients;
8. The Applicant shall install a handicap ramp for the front entrance;
9. The Applicant shall engage with local police on a regular basis to ensure a safe environment and proper traffic flow in and around the site;
10. The Applicant shall install fencing to separate the second egress in the back of the building from the train tracks; and
11. The Applicant shall reasonably cooperate with the Greenfield Recreation Department to adjust hours of operation for special events at Energy Park with proper notice from the City.

Approval of Minutes:

**MOTION:** Moved by Killeen, seconded by Winn, and voted 5:0 to approve the meeting minutes of April 11, 2019.

Adjournment:

**MOTION:** Moved by Maloney, seconded by Winn, and voted 5:0 to adjourn the meeting at 9:09 p.m.



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Respectfully Submitted,

Eric Twarog, AICP  
Director of Planning and Development